

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

KEARY BURGER and PHYLLIS BURGER

PLAINTIFFS

VS.

CIVIL ACTION NO. 1:09cv264-LG-RHW

**USAA CASUALTY INSURANCE COMPANY
and JOHN DOES 1-10**

DEFENDANTS

JOINT MOTION FOR EXTENSION OF TIME

Plaintiffs and Defendant jointly move the Court, to grant them additional time to conduct discovery in the above styled case. In support of this request, the parties respectfully state:

1. The current discovery deadline for the parties in the above styled case is January 15, 2009.

2. Because of the schedules of the attorneys for the parties with regard to various matters, counsel for both parties are in need of additional time, or through and including June 1, 2010, in which to conduct discovery.

3. As the instant case is not set for trial until September 13, 2010 and the parties have already designated expert witnesses, the extension of time would not create scheduling conflicts with re-setting the motion deadline associated with the case. The parties respectfully suggest to the Court that the motion deadline be reset to June 15, 2010.

4. All parties agree to this request for extension of time to conduct discovery.

5. This motion is not filed for purposes of delay, and grant of the motion will not prejudice any party to this action.

6. Because of the nature of this motion, and the agreement of the parties, both Plaintiffs and Defendant request that the Court waive the Uniform Local Rule 7.2(D) briefing requirement.

This 3rd day of December, 2009.

Respectfully submitted,

KEARY AND PHYLLIS BURGER

By: s/Don Barrett
Don Barrett

USAA CASUALTY INSURANCE COMPANY

By: s/James D. Boone
Charles G. Copeland (MBN 6516)
W. Shan Thompson (MBN 9445)
Janet G. Arnold (MBN 1626)
James D. Boone (MBN 102377)
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CERTIFICATE OF SERVICE

I, James D. Boone, hereby certify that on December 3, 2009, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send notification of such filing to the following:

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THIS, the 3rd day of December, 2009.

/s/ James D. Boone

James D. Boone